

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION

FILED
U.S. BANKRUPTCY COURT
EAST & WEST DIST. OF AR

JAN 30 2018

JEAN ROLFS, CLERK by 

In Re: THERESA MARSHALL

VS.

CASE NO: 4:16-bk-15651 T

WELLS FARGO HOME MORTGAGE, A DIVISION OF
WELLS FARGO BANK N.A.

DEUTSCHE BANK NATIONAL TRUST COMPANY
AS TRUSTEE FOR VENDEE MORTGAGE TRUST- 1993-1, MOVANT

VS.

EDUCATIONAL CREDIT MANAGEMENT CORPORATION

SAMUEL S. HIGH, ATTORNEY
WILSON & ASSOCIATES, PLLC

KIMBERLY WOOD, TUCKER, ATTORNEY
WRIGHT, LINDSEY & JENNINGS

MOTION TO EXTEND THE
AUTOMATIC STAY

COMES NOW, Theresa Marshall, (Marshall) for her Motion to Extend the
Automatic Stay and states:

- 1) Motion for Reconsideration of Order dismissing above mentioned case for Violation of Strict Compliance Order of December 6, 2017 is set for Hearing on February 28, 2018.
- 2) Debtor filed motion for reconsideration on December 15, 2017 (within 10-14 days) after the dismissal and before Order was finalized in an effort to reinstate above mentioned case.
- 3) Debtors bankruptcy case is at a "critical juncture" because confirmation hearings were scheduled to occur. (in less than two months).
- 4) *Debtor made "strict compliance" required payments for which case was dismissed.*

5) On January 12, 2018 – Attorney High of Wilson & Associates started procedures *(Circuit)* to begin publication in newspaper in an effort to foreclose on Debtors property on February 15, 2018 on behalf of (Deutsche Bank). *(Attached)*

6) Debtor is likely to succeed on the merits against creditors.

7) Debtor and creditors has been in years of litigation and it is time for case matters to be settled.

WHEREFORE, for all reasons stated above - Debtor seeks extension of the automatic stay against all creditors with claims until duration of Bankruptcy case. ***11 U.S.C. § 362(a)***.

Respectfully submitted,

/s/Theresa Marshall, Debtor
1408 Hendrix Ave.
Little Rock, AR 72204
501-666-3923

CERTIFICATE OF SERVICE

I, Theresa Marshall, hereby certify this 30th day of January 2018 that copy of the foregoing **MOTION TO EXTEND THE AUTOMATIC STAY** filing will be e-mailed to the following:

Mark T. McCarty, Trustee
P.O. Box 5006
North Little Rock, AR 72119

Kimberly Wood, Tucker, Attorney
200 West Capitol Avenue, Suite 300
Little Rock, AR 72201

U.S. Trustee
200 West Capitol – Suite 1200
Little Rock, AR 72201
USTPRegion13.LR.ECF@usdoj.gov

Samuel High, Attorney
Wilson & Associates
400 West Capitol Avenue, Suite 1400
Little Rock, AR 72201

ELECTRONICALLY FILED
Pulaski County Circuit Court
Larry Crane, Circuit/County Clerk
2018-Jan-24 13:34:43
60CV-12-3808
C06D05 : 1 Page

Rhonda S. Wharton

From: Rhonda S. Wharton
Sent: Wednesday, January 24, 2018 1:28 PM
To: Legal Ads; Gwen Finley
Cc: Sherry K. Means; Camille R. Drackette; Rhonda S. Wharton
Subject: 60CV-12-3808 DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR
VENDEE MORTGAGE TRUST 1993-1 V THERESA MARSHALL
Attachments: 60CV-12-3808 COMMISSIONER'S SALE NOTICE.doc
Importance: High

Attached please find a commissioner's sale notice for publication two times in the Arkansas Democrat Gazette with first publication on January 28, 2018 and second publication on February 4, 2018. Please forward proof of publication and statement of costs to Ms. Gwen Finley, Executive Assistant to Aaron L. Squyers, Legal Assistant to Samuel S. High, Wilson & Associates, PLLC, 400 W. Capitol Ave., Suite 1400, Little Rock, AR 72201, main phone 501-219-9388, Direct line 501-734-2232, fax 501-734-4592. If there are any problems with the publication or you are not able to publish as requested please let me or Ms. Finley know so we may resolve them and proceed with the sale as scheduled. Thank you for your assistance.

Rhonda Wharton
Operations Manager
Pulaski Circuit/County Clerk
401 W. Markham Ave, Suite 120
Little Rock, AR 72201
Phone: 501-340-3414

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COMMISSIONER'S SALE NOTICE

NOTICE IS HEREBY GIVEN that pursuant to the authority and directions contained in the decretal order of the Circuit Court of Pulaski County, Arkansas, made and entered on September 10, 2015, in a certain cause (No. 60CV-12-3808) then pending between Deutsche Bank National Trust Company, as Trustee for Vendee Mortgage Trust 1993-1, Plaintiff, and Theresa Marshall; Tenants of, *et al.*, Defendants, the undersigned, as Commissioner of said Court, will offer for sale at public venue to the highest bidder, at the Pulaski County Courthouse in which said Court is held, located in Little Rock, Arkansas, within the hours prescribed by law for judicial sales, on February 15, 2018 at 12:00 p.m., the following-described real estate, situated in Pulaski County, Arkansas:

Lot 10, Block B, Oak Forest Gardens Annex, to the City of Little Rock, Pulaski County, Arkansas.

Also known as 1408 Hendrix Avenue, Little Rock, AR 72204

TERMS OF SALE: On a credit of three months, provided the purchaser shall execute a commercial corporate surety bond as required by law and the order and decree of said Court in said cause, with approved security, bearing interest at the maximum legal rate per annum from date of sale until paid, and a lien being retained on the premises sold to secure the payment of the purchase money. The property will be sold subject to any and all property taxes due and payable.

GIVEN under my hand this 24th day of January, 2018.

/s/Sherry Means
Commissioner in Circuit

Prepared by:

3216



WILSON & ASSOCIATES, P.L.L.C.
400 W. Capitol Avenue, Suite 1400
Little Rock, Arkansas 72201
(501) 219-9388

By: /s/Samuel S. High
Sammy High (2001125)
Attorneys for Plaintiff

FOR PUBLICATION PURPOSES ONLY in the *Arkansas Democrat-Gazette*:

FIRST PUBLICATION DATE: January 28, 2018

SECOND PUBLICATION DATE: February 4, 2018 (no less than 10 days before sale)